

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:	)	
	)	
<b>Morten BRYHN et al.</b>	)	Group Art Unit: 1627
	)	
Application No.: 10/582,978	)	Examiner: Timothy E. Betton
	)	
Filed: June 15, 2006	)	
	)	
For: USE OF A FATTY ACID	)	Confirmation No.: 8212
COMPOSITION COMPRISING	)	
AT LEAST ONE OF EPA AND	)	
DHA OR ANY COMBINATIONS	)	
THEREOF	)	<b><u>VIA EFS-WEB</u></b>

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31**

Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the Examiner's decision mailed April 7, 2010.

The item(s) checked below are appropriate:

1. ☐ Applicant petitions for a [Fee] month extension of time, based on the mailing date of the outstanding Office action. The petition fee of \$[Fee] is enclosed.
2. ☒ Applicant has previously filed a Petition for extension of time extending the period for response to the outstanding Office action to August 9, 2010 (as August 7, 2010, fell on a Saturday). Applicant now petitions for an additional extension of time to extend the period for response to October 7, 2010. The petition fee of \$980.00 is enclosed (i.e., a three month extension of time for \$1,110.00 minus the one-month fee already paid, \$130.00).
3. ☒ The Notice of Appeal Fee of \$540.00 ☒ is enclosed.

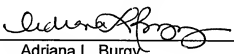
4. ☐ The Notice of Appeal Fee was previously paid in this application on [Date], but the appeal was not completed. Accordingly, no Appeal Fee is due at this time.
5. ☐ A pre-appeal brief conference is requested. The request and supporting documentation are attached.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 7, 2010

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